

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

CALVIN WALKER

PLAINTIFF

V.

CIVIL ACTION NO. 3:17-CV-327-DPJ-FKB

JACKSON POLICE  
DEPARTMENT, ET AL.

DEFENDANTS

ORDER

On May 3, 2017, Plaintiff Calvin Walker filed this lawsuit, using a form complaint for claims under 42 U.S.C. § 1983 and alleging that he had been unlawfully arrested and incarcerated on a business-burglary charge. On October 31, 2018, the Court severed Walker's apparent habeas claim from the § 1983 claim, opened a new civil action for the habeas claim, and dismissed this case. Walker thereafter sent a number of letters to the Court, so this case and the new habeas case were referred to United States Magistrate Judge F. Keith Ball for a hearing to ascertain, among other things, whether this case "should be reopened with leave to amend." Order [37] at 3.

Judge Ball held a status conference on June 19, 2019, at which he learned that Walker has entered a guilty plea on the underlying charge and is currently serving his sentence in the custody of the Mississippi Department of Corrections. Judge Ball concluded that Walker's § 1983 claim is therefore *Heck*-barred and recommended that this case remain closed. Report and Recommendation [40] at 2; *see Heck v. Humphrey*, 512 U.S. 477 (1994). Walker did not file written objections to the Report and Recommendation, and the time to do so has now expired. Because the Court agrees with Judge Ball's conclusion, it adopts the Report and Recommendation as its opinion. This case will remain closed.

**SO ORDERED AND ADJUDGED** this the 10th day of July, 2019.

s/ Daniel P. Jordan III  
CHIEF UNITED STATES DISTRICT JUDGE